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16 Financial d/b/a Shellpoint Mortgage Servicing*

17 **UNITED STATES DISTRICT COURT**
18 **DISTRICT OF NEVADA**

19 NEWREZ LLC f/k/a NEW PENN FINANCIAL
20 d/b/a SHELLPOINT MORTGAGE SERVICING,

21 Plaintiff,
22 vs.

23 IYAD HADDAD aka EDDIE HADDAD;
24 RESOURCES GROUP, LLC; RESOURCES
25 GROUP, LLC as Trustee of TEAL PETALS ST
26 TRUST; 9863 DUBLIN VALLEY, LLC;
27 SATICOY BAY LLC dba SATICOY BAY LLC
28 SERIES 9863 DUBLIN VALLEY ST; SATICOY
29 BAY LLC SERIES 9863 DUBLIN VALLEY ST;
30 DOES I through X, inclusive; and ROE
31 CORPORATIONS I through X, inclusive,

32 Defendants.

33 Case No.: 2:23-cv-01839-JAD-MDC

34 **STIPULATION AND ORDER RE:
35 OPPOSITION TO MOTIONS TO
36 DISMISS [ECF NO. 23 & 24]**

37 ECF No. 25

38 NewRez LLC f/k/a New Penn Financial d/b/a Shellpoint Mortgage Servicing (**Shellpoint**) and
39 defendants Saticoy Bay LLC (**Saticoy Bay**), Saticoy Bay LLC Series 9863 Dublin Valley St (**Series**
40 **LLC**), Iyad Haddad (**Mr. Haddad**), Resources Group, LLC (**Resources Group**), Resources Group,
41 LLC as Trustee of Teal Petals St Trust (**Teal Petals**), and 9863 Dublin Valley, LLC (**Dublin Valley**)
42 stipulate as follows:

1 1. Saticoy Bay, Series LLC, and Mr. Haddad moved to dismiss on January 24, 2024, ECF
2 No. 18, making Shellpoint's opposition due on February 7, 2024, pursuant to LR 7-2(b).

3 2. Resources Group, Teal Petals, and Dublin Valley moved to dismiss on January 25,
4 2024, ECF No. 20, making Shellpoint's opposition due on February 8, 2024, pursuant to LR 7-2(b).

5 3. Counsel for Shellpoint personally filed Shellpoint's oppositions to the defendants'
6 motions to dismiss despite that she does not regularly file legal documents and is not familiar with the
7 e-filing system in federal court as a result.

8 4. Shellpoint's opposition to ECF No. 18 was filed at 12:10 a.m. on February 8, 2024 due
9 to technical difficulties associated with the PACER login for electronic filing in this court, but for
10 which the opposition would have been filed on February 7, 2024. Shellpoint's opposition to ECF No.
11 20 was filed soon thereafter and also would have been filed on February 7, 2024, but for the PACER
12 login issues that caused Shellpoint's counsel to file after midnight rather than before.

13 5. Shellpoint's counsel affixed her electronic signature immediately prior to filing, at
14 approximately 12:05 a.m. on February 8, 2024. While Shellpoint's counsel signed the opposition on
15 February 8, 2024, the document that she filed was complete and otherwise finalized prior to midnight,
16 i.e. on February 7, 2024.

17 6. Shellpoint's failure to file its opposition to ECF No. 18 before the deadline expired is
18 the result of excusable neglect. *See* FED. R. CIV. P. 6(b), LR-IA 6-1.

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7. The parties jointly request that the court order **Shellpoint's opposition shall be deemed timely filed** under LR 7-2(b) as to the defendants' pending motions to dismiss and agree that the defendants' replies in support shall be due on February 14, 2024.

8. The defendants expressly reserve their rights to seek an extension of the reply deadline as permitted under Rule 6(b) of the Federal Rules of Civil Procedure and LR-IA 6-1.

DATED this 8th day of February, 2024.

<p>AKERMAN LLP</p> <hr/> <p><i>/s/ Paige L. Magaster</i></p> <p>ARIEL STERN, ESQ. Nevada Bar No. 8276</p> <p>NATALIE L. WINSLOW, ESQ. Nevada Bar No. 12125</p> <p>PAIGE L. MAGASTER, ESQ. Nevada Bar No. 15557 1635 Village Center Circle, Suite 200 Las Vegas, NV 89134</p> <p><i>Attorneys for NewRez LLC f/k/a New Penn Financial d/b/a Shellpoint Mortgage Servicing</i></p>	<p>ROGER P. CROTEAU & ASSOCIATES, LTD</p> <hr/> <p><i>/s/ Christopher L. Benner</i></p> <p>ROGER P. CROTEAU, ESQ. Nevada Bar No. 4958</p> <p>CHRISTOPHER L. BENNER, ESQ. Nevada Bar No. 8963 2810 W. Charleston Boulevard, Suite 67 Las Vegas, NV 89102</p> <p><i>Attorneys for Defendants Resources Group, LLC; Resources Group, LLC as Trustee of Teal Petals St Trust ; and 9863 Dublin Valley, LLC</i></p>
<p>LAW OFFICES OF MICHAEL F. BOHN, ESQ. LTD.</p> <hr/> <p><i>/s/ Michael F. Bohn</i></p> <p>MICHAEL F. BOHN, ESQ. Nevada Bar No. 1641 2260 Corporate Circle, Suite 480 Henderson, NV 89074</p> <p><i>Attorney for Defendants Saticoy Bay LLC; Saticoy Bay LLC 9863 Dublin Valley St. and Iyad Haddad</i></p>	

IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE

2-14-24